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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|------------------------|----------------------|------------------|
| 10/738,396 | 12/17/2003 | William E. Mazzara JR. | GP-304224 (2760/145) | 7990 |

7590 09/20/2005

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EXAMINER

VU, MICHAEL T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
| 2683 | |

2683

DATE MAILED: 09/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|--------------------------------------|--|--|
| Office Action Summary | Application No. 10/738,396 | Applicant(s) MAZZARA, WILLIAM E. | |
| | Examiner Michael Vu | Art Unit 2683 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is **FINAL**.
- 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-17 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-17 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 17 December 2003 is/are: a) accepted or b) objected to by the Examiner.
 - Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 - Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1. Certified copies of the priority documents have been received.
 - 2. Certified copies of the priority documents have been received in Application No. _____.
 - 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 - 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Treyz (US 6,711,474).

Regarding **claims 1, 9, 17**, Treyz teaches a method for operating a telematics unit within a mobile vehicle (Fig. # 2, Automobile Personal Computer Din Sized, Dashboard-Mounted, element #12), the method comprising: receiving radio station information (Fig. #2 and #3, #18, #22 Radio, shows a Wireless Communication Device, and C1, L40-50, C15, L24-30); detecting an initiation command received from a user interface (C42, L28-39, claims #2 and #3 reads on); and providing the radio station information to the telematics unit responsive to the detected initiation command (Fig. #17 & #24, C42, L28-39, C45, L46-65, C68, L49-61, and claims #2 and #3 reads on).

Regarding **claims 2, 10**, Treyz teaches a method of claim 1, further comprising receiving a communication command (C42, L28-39, C45); and initiating a wireless communication via the telematics unit responsive to the received communication command (C42, L28-39, C45, L46-65, C68, L49-61, and Abstract, claims #2 and #3 reads on).

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Regarding **claims 3, 11**, Treyz teaches a method of claim 2, further comprising: determining if the initiated wireless communication is connected (Fig. #18, #22 Radio, C15, L8-12, communication connected is well known in the art); initiating wireless voice communication from a user interface when the initiated wireless communication is connected (C15, L8-12, C16, L51-56); terminating the wireless communication when the initiated wireless communication is not connected (C16, L51-56, C62, L41-60); and reinitializing the terminated wireless communication via the telematics unit responsive to the received communication command (C62, L41-60, C68, L49-61).

Regarding **claims 4, 12**, Treyz teaches a method of claim 1, further comprising initiating a Wireless communication via the telematics unit responsive to the detected initiation command (Abstract, C23, L33-43, C42, L29-39, C43, L27-34, C45, L47-65, C68, L49-61).

Regarding **claims 5, 13**, Treyz teaches a method of claim 1, wherein the radio station information is selected from the group consisting of: radio station identification (C31, L1-15, C52, L64-67 to C53, L1-10), radio station telephone number (C78, L37-47), one or more radio station messages (C3, L44-48, C4, L6-12, C20, L16-27), alert data such as traffic hotline reports (C58, L47-67, C59, L3-19), government emergency alerts, weather alerts, sports scores and stock quotes (C28, L35-45, C63, L19-27, C64, L5-10).

Regarding **claims 6, 14**, Treyz teaches a method of claim 1, wherein the radio station information is broadcast on a sub-carrier band (C21, L60-67 to C22, L1-12, C58, L47-67).

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Regarding **claims 7, 15**, Treyz teaches a method of claim 1, wherein the user interface is a voice activated user interface (C41, L58-67, C77, L15-41).

Regarding **claims 8, 16**, Treyz teaches a method of claim 1, wherein the user interface is manually operable push button user interface (C77, L15-41).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Treyz US 6,711,474

Anderson US 6,782,264

Anderson US 2002/0039904

Himmel US 2003/0186662

Stilp US 6,184,829

Stilp US 2002/0172223

Karr US 2003/0222819

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Vu whose telephone number is (571) 272-8131.

The examiner can normally be reached on 8:00am - 6:00pm.

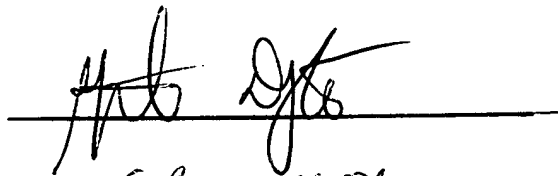
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael T. Vu



STEPHEN DIAGOSTA

9-6-05